

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
APRIL 1, 2002**

The Tippecanoe County Commissioners met on Monday, April 1, 2002 at 9:00 A.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President KD Benson, and Member Ruth E. Shedd; Auditor Robert A. Plantenga, Commissioners' Assistant Jennifer Weston, County Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Knochel called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

- Commissioner Benson moved to approve the minutes of the March 18, 2002 Poor Relief Hearing and the March 18, 2002 Regular Meeting as distributed, seconded by Commissioner Shedd; motion carried.

APPROVAL OF CLAIMS

- Upon the recommendation of Commissioners' Assistant Weston, Commissioner Shedd moved to approve the Claims for the periods ending March 22, 2002, March 29, 2002, and April 1, 2002 as submitted, seconded by Commissioner Benson; motion carried.

JAIL EXPANSION UPDATE: Kettelhut Representative Steve Habben

The construction is right on schedule.

The remainder of the 138 cells are expected to arrive this week.

The exterior masonry is progressing on the cell and holding area pods.

Roofing is scheduled for mid April.

When the exterior is completed, work will begin on the inside of the cell pod and holding area.

779 CORDALE ROAD WAREHOUSE UPDATE: Sheriff "Smokey" Anderson

Sheriff Anderson reported they will store Sheriff's Department "specialty" vehicles used by the Dive Team and Bomb Disposal Team and Emergency Management's Haz-Mat vehicle and temperature sensitive equipment in the warehouse. The Sheriff said the former owner is in the process of moving out of the building but they have not imposed a strict deadline because he allowed the Sheriff's Department to park vehicles on his property long before the sale was completed.

HIGHWAY: Executive Director Mark Albers

BIDS OPENED:

Bituminous Materials

Dust Control Service	Cashier's Check
American Paving & Asphalt Inc.	Official Check
Rieth-Riley Construction Co., Inc.	Bid Bond
Asphalt Materials, Inc.	Bid Bond
Milestone Contractors, L.P.	Bid Bond

- Upon Mr. Albers' recommendation, Commissioner Benson moved to take the bids under advisement, seconded by Commissioner Shedd; motion carried.

Articulate Motor Graders (4)

Holt Equipment Co.	Bid Bond	Net price including add ons
\$163,324.00		
Rudd Equipment Co.	Bid Bond	Net price not including add ons
\$392,000.00		
Mac Allister Machinery Co., Inc.	Bid Bond	Net price including add
ons		ons
\$587,168.48		

- Upon Mr. Albers' recommendation, Commissioner Benson moved to take the Motor Grader bids under advisement, seconded by Commissioner Shedd; motion carried.

CHANGE ORDER #1: 2001 Culvert Replacement

Change Order #1 from Wirtz & Yates, Inc. is an additional \$3,500.00 for the 2001 Culvert Replacement project. This is the cost of adding a reinforced concrete pad and reinforcing steel under the end section of the culvert to add stability due to the existing ground condition.

- Commissioner Benson moved to accept Change Order #1 for an additional \$3,500.00 for the 2001 Culvert Replacement project, seconded by Commissioner Shedd; motion carried.

ORDINANCE 2002-18-CM: Traffic Control at Intersection of CR 500 E & CR 100 S.: 1st Reading

Attorney Luhman read the Ordinance:

(quote)

ORDINANCE 2002-18-CM

AN ORDINANCE REGULATING TRAFFIC CONTROL AT THE INTERSECTION OF COUNTY ROAD 500 EAST WITH COUNTY ROAD 100 SOUTH

WHEREAS, it has been determined by the Board of Commissioners of Tippecanoe County upon the basis of an Engineering and Traffic Investigation that it is reasonable and safe to create a four-way stop at the intersection of County Road 500 East and County Road 100 South, and

WHEREAS, pursuant to Indiana Code Sections 8-17-1-40, 9-21-1-2, and 9-21-1-3, it has been determined by the Board of Commissioners of Tippecanoe County that the regulatory signs, as listed below, are in conformance with the Indiana Manual on Uniform Traffic Control Devices.

IN ADDITION, the Board of Commissioners of Tippecanoe County has determined, based on an Engineering and Traffic Investigation, that there is a necessity requiring the adoption of this Ordinance and requiring that its date of effectiveness be April 29, 2002.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY, STATE OF INDIANA, THAT the intersection of County Road 500 East and County Road 100 South be established as a four-way stop and said change shall be made under the following conditions:

- a) The Sheriff's Department shall be notified in advance to facilitate enforcement.
- b) The four stop signs installed on County Road 500 East shall be 36" VIP.
- c) "4-WAY" HI supplementary plates shall be placed below the Stop signs at all four approaches to the intersection.
- d) Type B High Intensity Flashers shall be placed on the right hand Stop signs on County Road 500 East and shall remain for a period of 30 days.

IN ADDITION, MAY IT ALSO BE ENACTED BY THE BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY, STATE OF INDIANA, THAT the effective date of this Ordinance is April 29,

2002.

PENALTY FOR VIOLATION OF THIS ORDINANCE

1. A person who violates the traffic control regulations set forth in this Ordinance commits a Class C infraction.

FIRST READING:

ACCEPTED AND APPROVED by the Board of Commissioners of the County of Tippecanoe on the 1st day of April, 2002.

Vote:	<u>YES</u>	<u>NO</u>	BOARD OF COMMISSIONERS OF
			THE COUNTY OF TIPPECANOE
Knochel			
Shedd			
Benson			
		_____	John Knochel, President
		_____	KD Benson, Vice President
		_____	Ruth Shedd, Member

ATTEST:

Robert A. Plantenga, Auditor

SECOND AND FINAL READING:

ACCEPTED AND APPROVED by the Board of Commissioners of the County of Tippecanoe on the 15th day of April, 2002.

Vote:	<u>YES</u>	<u>NO</u>	BOARD OF COMMISSIONERS OF
			THE COUNTY OF TIPPECANOE
Knochel			
Shedd			
Benson			
		_____	John Knochel, President
		_____	KD Benson, Vice President
		_____	Ruth Shedd, Member

ATTEST:

Robert A. Plantenga, Auditor
Published April 22, 2002
April 29, 2002

(unquote)

Mr. Albers explained that they are seeking approval of this Ordinance because more than five (5) accidents have occurred at this intersection in a two (2) year period. When the McCarty Lane extension is completed, a traffic light will be installed at the intersection.

- Commissioner Benson moved to approve Ordinance 2002-18-CM on first reading, seconded by Commissioner Shedd.

Auditor Plantenga recorded the vote:

John Knochel	Yes
Ruth Shedd	Yes
KD Benson	Yes

- The motion to approve Ordinance 2002-18-CM passed 3 – 0 on first reading.

DEEDS: Bridge #44

Mr. Albers submitted for acceptance the following Deeds for the Bridge #44 Project. He explained that the Quit Claim Deed from the Lahrmans is necessary because they are buying Parcel #3 on contract:

Warranty

Key #144-02700-0337: Parcel #2:

A part of the NE ¼ of Sec. 24, Twp. 22 N, R 4 W, from Thomas K. & Katrina S. Vaughan.

Key #144-02700-0029: Parcel #3:

A part of the NE ¼ of Sec. 24, Twp. 22 N, R 4 W, from Louis Paul & Agnes Marie Vaughan.

Quit Claim

Key #144-02700-0029: Parcel #3:

A part of the NE ¼ of Sec. 24, Twp. 22 N, R 4 W, from James R. & Lisa D. Lahrman.

- Commissioner Benson moved to accept the two Warranty Deeds and the Quit Claim Deed for the Bridge #44 Project, seconded by Commissioner Shedd; motion carried.

GRANTS OF RIGHT OF WAY: By Parcelization

Key #116-00100-0082: A part of the SE ¼ of Sec. 4, Twp. 21 N, R 4 W, Randolph Twp. on CR 200 E from Stephen H. Wagner.

Key #124-02800-0063

Key #124-02800-0426: A part of the NE ¼ of Sec. 15, Twp 25 N, R 4 W, Tippecanoe Twp. on CR 800 S & CR 300 E from Jay E. & Vallery F. Cherry.

- Commissioner Benson moved to accept the Grants of Right-of-Way by parcelization, seconded by Commissioner Shedd; motion carried.

IRREVOCABLE LETTER OF CREDIT: Eagle's Nest Inc. (John E. Smith)

This \$5,000.00 Irrevocable Letter of Credit #51004187 is in lieu of a \$5,000 Construction Maintenance Bond for Eagle's Nest Inc. (John E. Smith) for work on all County roadways leading into Eagle's Nest Subdivision.

- Commissioner Benson moved to accept Irrevocable Letter of Credit #51004187 in the amount of \$5,000.00 for Eagle's Nest Inc., seconded by Commissioner Shedd; motion carried.

CONSTRUCTION MAINTENANCE BONDS: Midway Services, Inc. & Mussche Excavating

Mr. Albers presented Construction Maintenance Bonds for acceptance:

Three (3) year Construction Maintenance Bond #33BSBBK4674 in the amount of \$5,000 from Midway Services, Inc. for Soil Bores on Main, Washington, and Mulberry Streets in the Town of West Point.

Three (3) year Construction Maintenance Bond #69309456 in the amount of \$5,000.00 from Mussche Excavating for site preparation and asphalt for a driveway for Grace Lutheran Church located on Old Romney Rd. and Buckingham Dr.

- Commissioner Benson moved to accept the Construction Maintenance Bonds from Midway Services, Inc. and Mussche Excavating, seconded by Commissioner Shedd; motion carried.

UTILITY MAINTENANCE BOND: Warren Co. REMC

- Commissioner Benson moved to accept three (3) year Utility Maintenance Bond #13BD044-02 in the amount of \$5,000.00 for Warren County REMC, seconded by Commissioner Shedd; motion carried.

CERTIFICATES OF INSURANCE

- Manufactured Building Ins. Co. Ltd. for Patriot Homes, Inc. and all its subsidiaries & associated companies.
- Indiana Farmers Mutual for Phillip & Nancy Kerkhoff.
- Cincinnati Insurance, ESI/Employer's Security Ins Co for Norfleet Builders, Inc.
- Motorist Mutual Insurance for Jesco Builders & Engineers et al.

PETITION OF VACATION OF A PUBLIC WAY: Swisher Rd.

Dan Saffen, Chief Landscape Architect for the DNR Engineering Division, and Kevin Rarrick, PE and Project Manager for Quant Engineer Designers for Phase 1 of Prophetstown State Park, presented the Petition for Vacation of a portion of Swisher Road.

If the Vacation is approved, Mr. Saffen said they will soon begin construction to change SR 225 to an overpass. They want to discontinue the intersection of Swisher Road and SR 225 and construct a run around road that will serve as SR 225 until the bridge is completed for safety reasons and construction efficiency. Eventually, the DNR plans to construct an entrance road to the Park off Swisher Road that will run underneath the new bridge. President Knochel established that dedicated funds for this project are in place and that the remaining landowner, Norman Deboy, will be given 100% access to his property. Mr. Saffen said the vacated portion of Swisher Road will become a dead end until the Park is opened. When the entire project is completed, the entire length of Swisher Road will be a road in the Park.

Commissioner Benson asked Attorney Luhman if the County or State will owe compensation to Mr. Deboy. Mr. Luhman responded Mr. Deboy will not be paid compensation because he will have access to his property.

Public Comment:

Dave Taylor, 5717 Houston Rd.: Mr. Taylor asked if the SR 225 run around road will be maintained and open before the present SR 225 is closed. He said if the Wabash River floods they will need an emergency exit. Mr. Rarrick responded that the SR 225 run around road will be constructed to the west of the current SR 225 and will be maintained until the bridge is opened.

Public Hearing

A Public Hearing on the Vacation of a portion of Swisher Road was scheduled for Monday, May 20, 2002 at 5:00 P.M.

***See note regarding the Vacation at the end of the minutes.

ORDINANCE 2002-17-CM: Z-2036, James & Sheila Cochran A to R1A

- Commissioner Benson moved to hear and approve Ordinance 2002-17-CM, seconded by Commissioner Shedd.

(quote)

March 21, 2002

Ref. No.: 02-54

Tippecanoe County Commissioners
20 N 3rd Street
Lafayette, IN 47901

Attn: Tippecanoe County Auditor

CERTIFICATION

RE: **Z-2063-JAMES & SHEILA COCHRAN (A TO R1A):**
Petitioners are requesting the rezoning of 0.642 acres
located south of CR 510 S, ¼ mile east of old US 231,
Wea 20 (NW)22-4.

Dear County Commissioners:

As Secretary Pro Tempore to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on March 20, 2002, the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from A to R1A. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their April 1, 2002 regular meeting.

Sincerely,
/s/James D. Hawley
Executive Director

ORDINANCE NO. 2002-17-CM

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE
COUNTY, INDIAN (sic), REZONE CERTAIN REAL ESTATE,
FROM A TO R1-A

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF
TIPPECANOE, INDIANA:

Section 1. The Unified Zoning Ordinance (sic) of Tippecanoe County, Indiana, being a separate ordinance and not part of a unified county code is hereby amended to rezone the following described real estate situated in WEA Township, Tippecanoe County, Indiana, to wit:

A part of the Real Estate conveyed to Terry G. Robbins in Deed Record 9718056 in the Records of the Tippecanoe County Recorder and being a part of the Northwest Quarter of Section 20, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, being more completely described as follows:

Commencing at the Northeast corner of said Northwest Quarter; Thence South 89°44'09" West, along the North line of said Northwest Quarter, a distance of 808.83 feet to a railroad spike in the approximate centerline of Tippecanoe County Road 500 South, and being the Northeast corner of said Robbins; Thence South 00°22'07" East, along the East boundary of Robbins, a distance of 335.55 feet to the Point of Beginning of this description; Thence South 00°22'07" East, continuing along the East boundary of Robbins, a distance of 140.00 feet to a rebar at the Southeast corner of Robbins; Thence South 89°43'14" West, along the South boundary of Robbins, a distance of 199.84 feet to a rebar at the Southwest corner of Robbins; Thence North

00°12'26" West, along the West boundary of Robbins, a distance of 140.05 feet; Thence North 89°44'09" East, parallel with the North line of said Northwest Quarter, a distance of 199.81 feet to the Point of Beginning, containing 0.642 of an Acre, more or less.

Section 2. The real estate described above should be and the same is hereby rezoned from A to R1-A

Section 3. The ordinance shall be in full force and effect from and after its passage.

(Adopted and passed) (Denied by the Board of Commissioners of Tippecanoe County, Indiana, this 1st day of April 2002.

VOTE:

_____	_____
	(President)
_____	_____
	(Vice President)
_____	_____
	(Member)

Attest: _____
Auditor
(unquote)

Representing the petitioners, Attorney Lawrence O'Connell requested approval of this zoning change from A to R1A for this property that is an exchange between the Cochrans and Mr. Robbins. So that the subdivision can move forward, all property in the petition for subdivision approval needs to be zoned the same, R1A.

Auditor Plantenga recorded the vote:

KD Benson	Yes
Ruth Shedd	Yes
John Knochel	Yes

- The motion to approve Ordinance 2002-17-CM passed 3 – 0.

INSURANCE PROPOSALS OPENED

Attorney Luhman opened proposals for the County's Group Health, Life, and Flex Administration.

Stewart C. Miller & Co., Inc. (Health)
Wausau Benefits (Health)
Arnett Health Plans (Health)
Wright & Co. – John Hancock (Life)
Wright & Co. – Great West (Health)
COBRA Compliance Systems (COBRA & Flex Spending Administration)
Culpepper Group, Inc. (Health)
The Hartford Cincinnati Group Sales (Life)
Unum Provident (Life)
Jefferson Pilot Financial (Life)
The One Benefit Source (Health)

- Commissioner Benson moved to take the proposals under advisement, seconded by Commissioner Shedd; motion carried.

Public Comment:

Chuck Hagen, Deputy Prosecutor, thanked the Commissioners for pursuing other insurance options and hopes some of the problems with the County's current carrier don't continue. He said he has been pursuing appeals with the current insurer and Plan Administrator regarding usual and customary charges but has been dissatisfied with their response.

MASTER LEASE/PURCHASE AGREEMENT: Bank One Leasing Corp.

This Lease/Purchase Agreement dated March 27, 2002 with Bank One for Voting Equipment was presented for approval. When the contract with the vendor is signed, Bank One will pay \$1,085,000 out of escrow within approximately 30 to 60 days.

- Commissioner Benson moved to approve the Lease/Purchase Agreement with Bank One dated March 27, 2002, seconded by Commissioner Shedd; motion carried.

RESOLUTION 2002-17-CM: Declaration of Official Intent

(quote)

RESOLUTION 2002-17-CM

RESOLUTION AND DECLARATION OF OFFICIAL INTENT

Lessee: County of Tippecanoe, State of Indiana, acting by and through its Board of Commissioners

Principal Amount Expected To Be Financed: \$1,085,278.00

WHEREAS, the above Lessee is a political subdivision of the State in which Lessee is located (the "State") and is duly organized and existing pursuant to the constitution and laws of the State.

WHEREAS, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee.

WHEREAS, the Governing Body hereby finds and determines that the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding the amount stated above ("Principal Amount") for the purpose of acquiring the property generally described below ("Property") and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee.

Brief Description Of Property:

(285) AccuTouch Screen R6 Voter Stations, software

WHEREAS, Banc One Leasing Corporation ("Lessor") is expected to act as the lessor under the Equipment Leases.

WHEREAS, the Lessee may pay certain capital expenditures in connection with the Property prior to its receipt of proceeds of the Equipment Leases ("Lease Purchase Proceeds") for such expenditures and such expenditures are not expected to exceed the Principal Amount.

WHEREAS, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

NOW, THEREFORE, Be It Resolved by the Governing Body of the Lessee:

Section 1. Either one of the President **OR** the Vice President of the Board of Commissioners of Tippecanoe

County (each an "Authorized Representative") acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 2. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 3. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 4. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute a general obligations of the Lessee or indebtedness under the Constitution or laws of the State.

Section 5. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1. 150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

Section 6. As to each Equipment Lease, the Lessee reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501 (c)(3) bonds") during the fiscal year in which each such Equipment Lease is issued and hereby designates each Equipment Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended.

Section 7. This Resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED on this April 1, 2002.

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

John Knochel, President

KD Benson, Vice President

Ruth Shedd, Member

The undersigned **Secretary/Clerk** of the above-named Lessee hereby certifies and attests that the undersigned has access to the official records of the Governing Body of the Lessee, that the foregoing resolutions were duly adopted by said Governing Body of the Lessee at a meeting of said Governing Body and that such resolutions have not been amended or altered and are in full force and effect on the date stated below.

Signature of Secretary/Clerk of Lessee

Print Name:___

Official Title:___

Date: _____

(unquote)

- Commissioner Benson moved to approve Resolution 2002-17-CM, seconded by Commissioner Shedd; motion carried.

ESCROW AGREEMENT: Tippecanoe County & Bank One Trust Co.

- Commissioner Benson moved to approve the Escrow Agreement between Tippecanoe County and Bank One Trust Co., seconded by Commissioner Shedd; motion carried.

COMMUNITY DEVELOPMENT CORPORATION: Robert Reiling

Robert Reiling and Community Development Corp. Vice President Dennis Carson were present to request funding in the amount of \$100,000 per year for three (3) years from Tippecanoe County to help fund development on the Wabash River from Prophetstown State Park to Ross Hill Camp. Mr. Reiling said the City of West Lafayette has committed \$30,000 per year for three years and the City of Lafayette has committed \$100,000 per year for three years. Mr. Reiling said they need the funding to hire a full time Director. As a 501C3 corporation, they will be able to receive donations to help with development. The Corporation will receive \$90,000 to \$150,000 of Innkeeper's Tax funds but they want to use that money to purchase real estate.

Attorney Luhman said use of EDIT Funds for this purpose will need the approval of the Commissioners and the County Council. Commissioner Shedd expressed concern that contributing \$100,000 of EDIT Funds annually for three years will put the County in jeopardy.

YMCA TREE IDENTIFICATION TRAIL

The YMCA would like to develop a Tree Identification Trail in the wooded areas of the adjoining properties of Durgan Elementary School, the YMCA, and the Tippecanoe County Fairgrounds.

- Commissioner Benson moved to give approval to develop a Tree Identification Trail in the wooded area of the Fairgrounds with provisions to indemnify and hold the County harmless for all injuries and dangers encountered in the use of the trail, seconded by Commissioner Shedd; motion carried.

LETTER OF SUPPORT: Bureau of Justice Assistance Grant

County Grant Administrator Jessica Stein asked the Commissioners to support the effort of the Sheriff's Department in obtaining grant money through the Bureau of Justice Assistance to offset the expense of Bullet Proof Vest purchases. The grant will cover a portion of the \$5,304.97 cost.

- Commissioner Benson moved to authorize the President to sign the Letter of Support for the efforts of the Sheriff's Department to seek a grant to purchase Bullet Proof Vests, seconded by Commissioner Shedd; motion carried.

INTERLOCAL AGREEMENT: Lauramie Township Trustee Bill Easterbrook

Ms Stein explained that this Agreement amends the former Interlocal Agreement and sums up the requirements for the sewer project.

(quote)

**INTERLOCAL AGREEMENT BETWEEN LAURAMIE TOWNSHIP OF TIPPECANOE
COUNTY AND TIPPECANOE COUNTY**

This INTERLOCAL AGREEMENT is made this 1st day of April, 2002 by and between Lauramie

Township of Tippecanoe County (Lauramie) and Tippecanoe County (Tippecanoe) both of the State of Indiana; and

WHEREAS, as Lauramie Township seeks to improve the provision of sewer and water treatment services in Lauramie Township and has created the Lauramie Township Regional Sewer District-, and

WHEREAS, as a condition of applying for grant funding for the improvement of water and sewage treatment facilities, Lauramie Township was required to undertake a feasibility study, the estimated cost of which was \$14,000; and

WHEREAS, Lauramie Township is being reimbursed \$12,000 by the Indiana Department of Commerce, and has been advised that the additional costs of said feasibility study may be reimbursed to Lauramie Township by the United States Department of Agriculture, under a loan or other grant programs, upon approval of Lauramie Township's grant application or grant applications; and

WHEREAS, Tippecanoe has already agreed under a similar previous INTERLOCAL AGREEMENT (June 21, 1999) to loan Lauramie the funds required, but not to exceed \$14,000 for said feasibility study subject to reimbursement from Lauramie Township upon certain terms and conditions; and

WHEREAS, the full cost of the feasibility study for wastewater treatment in the Lauramie Regional Sewer District totals \$15,950, and Tippecanoe wishes to extend the additional funds of \$1,950 for a total loan to Lauramie of \$15,950 to be repaid under the conditions set forth below.

NOW, THEREFORE, it is agreed that:

1. Tippecanoe will advance to Lauramie Township an additional amount not to exceed One Thousand Nine Hundred and Fifty Dollars (\$1,950.00) for a total of Fifteen Thousand Nine Hundred and Fifty Dollars (\$15,950.00) for the cost of the feasibility study with respect to the treatment of sewer wastewater in Lauramie Township Regional Sewer District.
2. Lauramie Township will promptly repay Tippecanoe Twelve Thousand Dollars (\$12,000.00) upon receipt of a loan or grant from the Indiana Department of Commerce, or any other loan or grant that Lauramie Township is approved to use for said fees.
3. Lauramie Township will promptly repay Tippecanoe Three Thousand Nine Hundred and Fifty Dollars (\$3,950.00) upon receipt of a loan or grant from the United States Department of Agriculture, or any other loan or grant that Lauramie Township is approved to use for said fees.
4. Regardless of whether Lauramie Township is able to attain a loan or grant to repay \$3,950 to Tippecanoe County, the full amount of \$15,950 is due to Tippecanoe County by December 31, 2004.
5. Lauramie Township and Tippecanoe each will take such action as is necessary to accomplish the purposes of this agreement.

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

John Knochel, President

Ruth Shedd

KD Benson

ATTEST:

Robert Plantenga, Auditor or
Tippecanoe County

LAURAMIE TOWNSHIP OF TIPPECANOE COUNTY
By: s/s William J. Easterbrook, Lauramie Township Trustee

ATTEST:
/s/ Jessica E. Stein

(unquote)

Mr. Easterbrook said the extended time for completion of the study has caused the cost to be greater than anticipated. He hopes the final Preliminary Engineering Report (PER) will be completed by the end of the month. He confirmed that \$750,000 for construction has been approved by the Legislature.

- Commissioner Benson moved to approve the Interlocal Agreement between Tippecanoe County and Lauramie Township, seconded by Commissioner Shedd; motion carried.

AGREEMENTS: Verizon: MITS Executive Director Diane Hawkins

Mrs. Hawkins presented agreements with Verizon to connect the 629 Building with TCOB (Tippecanoe County Office Building) for voice and data communications. She said the County will lease the T1 Line from Verizon and purchase the hardware and software. Approximate costs are \$37,000.00 for hardware and software and \$500.00 to \$600.00 per month for the T1 Line.

- Commissioner Benson moved to approve the Agreements with Verizon for communications between the 629 Building and TCOB, seconded by Commissioner Shedd; motion carried.

******VACATION HEARING RESCHEDULED: Swisher Road***

After further examination of the Statute, Attorney Luhman clarified that the hearing date must be within thirty (30) days of receipt of the petition. Allowing time for advertisement, the hearing was rescheduled for 10:00 A.M., Tuesday, April 23, 2002.

NEW EXTENSION DIRECTOR

Bryan Metzger, new County Extension Director, was welcomed by the Commissioners. Mr. Metzger replaces Scott Rumble who retired at the end of 2001.

REPORTS

Reports from Tippecanoe Villa, Wabash River Parkway Commissioner, Tippecanoe County Library, and Treasurer are on file in the Commissioners' Office for review.

PUBLIC COMMENT

None.

ADJOURNMENT

- Commissioner Benson moved to adjourn, seconded by Commissioner Shedd; motion carried.

Robert A. Plantenga, Auditor

**BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE**

John L. Knochel, President

KD Benson, Vice President

Ruth E. Shedd, Member

ATTEST:

Robert A. Plantenga, Auditor